

Case No. 1:11-CV-1346
Gwin, J.

U.S.C. § 636(b)(1)(C). The Act grants parties fourteen days to file objections. Id. Failure to object within this time waives a party's right to appeal the district court's judgment. FED. R. CIV. P. 72(a); see also Thomas v. Arn, 474 U.S. 140, 145 (1985); United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt the magistrate judge's report without review. See Thomas, 474 U.S. at 149.

In this case, neither party has objected to the Magistrate Judge's recommendation. Moreover, having conducted its own review of the Report and Recommendation, record, and parties' briefs, the Court agrees with the recommendation of Magistrate Judge Baughman that the Court reverse and remand the Commissioner's decision.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Baughman's Report and Recommendation and incorporates it fully herein by reference, and **REMANDS** this case to the Administrative Law Judge for further proceedings.

IT IS SO ORDERED

Dated: August 28, 2012

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE